

JC985 U.S. PTO
08/23/01

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08-24-01

PTO/SB/19 (8-96)

Approved for use through 9/30/98. OMB 0651-0032
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A/Plant
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NEW PLANT PATENT APPLICATION TRANSMITTAL

(to be used for new applications only)

Attorney Docket Number

W-3908

First Named Inventor

ANGEL A. GARGIULO

Total Pages in this Submission

66

09/25/01
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08/23/01

APPLICATION ELEMENTS

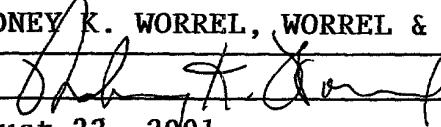
Notice: Checklist items mentioned under Application Elements section construct a new plant patent application. Please refer to MPEP Sections 506, 601, 1600 (37 CFR 1.53, 35 USC 111, 112, 113) for detailed explanation regarding completeness of an original plant application.

ACCOMPANYING APPLICATION PARTS

1. Fee Transmittal Form (prescribed filing fee(s))
2. Specification
 - Title of the Invention (with Plant's name)
 - Cross References to Related Applications (if applicable)
 - Statement Regarding Federally-sponsored Research/Development (if applicable)
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim
 - Abstract of the Disclosure
3. Drawing(s) in duplicate (as prescribed by 35 USC 165)
4. Executed Declaration
5. Plant Color Coding Sheet

6. Assignment Papers
7. Certified Copy of Priority Document(s) (if foreign priority is claimed)
8. English Translation Document (if applicable)
9. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
10. Petition Checklist and Accompanying Petition
11. Preliminary Amendment
12. Proprietary Information
13. Return Receipt Postcard
14. Small Entity Statement
15. Additional Enclosures (please identify below):

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	RODNEY K. WORREL, WORREL & WORREL		
Signature			
Date	August 22, 2001		

FOR OFFICIAL USE ONLY

Application Number		Class		Independent Claims	
Date of Receipt	Application Type	GAU		Total Claims	
	Filing Date		Foreign Filing License?		Drawing Sheets
	Small Entity		Foreign Address?		Special Handling?

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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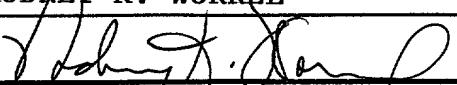
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FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT (\$ 280.00

Complete if Known	
Application Number	
Filing Date	
First Named Inventor	ANGEL A. GARGIULO
Group Art Unit	
Examiner Name	
Attorney Docket Number	W-3908

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																			
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 23-3185</p> <p>Deposit Account Name WORREL & WORREL</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td></tr> <tr><td>147</td><td>2,460</td><td>147</td><td>2,460 For filing a request for reexamination</td></tr> <tr><td>112</td><td>900*</td><td>112</td><td>900* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,790*</td><td>113</td><td>1,790* Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for response within first month</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195 Extension for response within second month</td></tr> <tr><td>117</td><td>930</td><td>217</td><td>465 Extension for response within third month</td></tr> <tr><td>118</td><td>1,470</td><td>218</td><td>735 Extension for response within fourth month</td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150 Notice of Appeal</td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150 Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130 Request for oral hearing</td></tr> <tr><td>138</td><td>1,470</td><td>138</td><td>1,470 Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive unavoidably abandoned application</td></tr> <tr><td>141</td><td>1,290</td><td>241</td><td>645 Petition to revive unintentionally abandoned application</td></tr> <tr><td>142</td><td>1,290</td><td>242</td><td>645 Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220 Design issue fee</td></tr> <tr><td>144</td><td>650</td><td>244</td><td>325 Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Petitions related to provisional applications</td></tr> <tr><td>126</td><td>230</td><td>126</td><td>230 Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>770</td><td>246</td><td>385 Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>149</td><td>770</td><td>249</td><td>385 For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td colspan="2">Other fee (specify) _____</td></tr> <tr><td colspan="2">Other fee (specify) _____</td></tr> <tr> <td>SUBTOTAL (1) (\$ 240.)</td> <td colspan="2">SUBTOTAL (3) (\$ 40.)</td> </tr> <tr> <td colspan="3">* Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet.	139	130	139	130 Non-English specification	147	2,460	147	2,460 For filing a request for reexamination	112	900*	112	900* Requesting publication of SIR prior to Examiner action	113	1,790*	113	1,790* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for response within first month	116	390	216	195 Extension for response within second month	117	930	217	465 Extension for response within third month	118	1,470	218	735 Extension for response within fourth month	119	300	219	150 Notice of Appeal	120	300	220	150 Filing a brief in support of an appeal	121	260	221	130 Request for oral hearing	138	1,470	138	1,470 Petition to institute a public use proceeding	140	110	240	55 Petition to revive unavoidably abandoned application	141	1,290	241	645 Petition to revive unintentionally abandoned application	142	1,290	242	645 Utility issue fee (or reissue)	143	440	243	220 Design issue fee	144	650	244	325 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Petitions related to provisional applications	126	230	126	230 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	770	246	385 Filing a submission after final rejection (37 CFR 1.129(a))	149	770	249	385 For each additional invention to be examined (37 CFR 1.129(b))	Other fee (specify) _____		Other fee (specify) _____		SUBTOTAL (1) (\$ 240.)	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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	RODNEY K. WORREL	Reg. Number	27,475
Signature		Date	8/22/01
		Deposit Account User ID	23-3185

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Attorney's Docket No. W-3908**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **ANGEL A. GARGIULO**
 Serial No.: _____ Group No.: _____
 Filed: _____ Examiner: _____
 For: **GRAPEVINE "90-3437"**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EM440646734US

Date of Deposit August 22, 2001

I hereby certify that the following attached paper or fee

Fee Transmittal Form; check for filing fee \$240.00; New Plant Patent Application Transmittal; Specification [Title of the Invention, Cross References to Related Applications, Statement regarding Federally-sponsored Research/Development, Background of the Invention, Brief Summary of the Invention, Brief Description of the Drawings, Detailed Botanical Description, Claim, Abstract of the Disclosure]; Photographs in duplicate; Plant Patent Application Declaration; Plant Color Coding Sheet; check for recording fee \$40.00; Recordation Form Cover Sheet; Assignment; Submission of Verified Statements; (2) Verified Statements; Information Disclosure Statement; return card; and copy is being deposited with the United States Postal Service "Express Mail Post Office to of Spec-Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to fication. the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Rodney K. Worrel

(typed or printed name of person mailing paper or fee)

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